gerous to life [*or* shows premonitory symptoms of a disease dangerous to life (*as the case may be*)], these are to require you to remove the said *A. B.* to [*here designate the sanitarium or other place on shore where, in the opinion of the consulting officer of health or Health Officer of the port, proper lodging and accommodation are available*], and, for enforcing the said removal, this shall be your sufficient warrant.

Consulting Officer of Health, or Health Officer of the Port.

THE BOMBAY DISTRICT POLICE ACT, 1867.

CONTENTS.

PREAMBLE.

SECTIONS.

1—32. [*Repealed.*]
33. Common nuisances.
34. Removal of prickly-pear or other nuisance from waste-land of town or village.
35—47. [*Repealed.*]

BOMBAY ACT No. VII OF 1867[1].

[*28th December, 1867.*]

An Act for the regulation of the District Police in the Presidency of Bombay.

WHEREAS it is expedient to establish regulations for the administration of the Police of the Presidency of Bombay; It is enacted as follows:— Preamble.

1—[*Rep. Bom. Act IV of 1890.*]

2—[*Rep. Act 12 of 1873.*]

3 to 32—[*Rep. Bom. Act IV of 1890.*]

[2]33. Any person Common nuisances.

[1] For Statement of Objects and Reasons, *see* Bombay Government Gazette, 1867, Pt. V, p. 61 for Report of the Select Committee, *see ibid*, p. 78 and for Proceedings in Council, *see ibid*, pp. 92, 343 and 358.

The whole Act, save sections 33 and 34, has been repealed by the Bombay District Police Act, 1890 (Bom. Act 4 of 1890), Vol. III of this Code, and in Aden and Sindh by the notifications under which Bom. Act 4 of 1890 was respectively declared in force in Aden and extended to Sindh—*see* Appendix to Vol. I of this Code, pp. 363 and 342, respectively.

[2] During such time as Pt. II of the Bombay Village Sanitation Act, 1889 (Bom. Act 1 of 1889), and the rules made thereunder, are in force in any village, ss. 33 and 34 of Bom. Act 7 of 1867 cease to have any operation therein—*see* Bom. Act 1 of 1889, s. 3, in Vol. III of this Code. Except in such villages and the City of Bombay these sections are in force in the rest of the Presidency of Bombay, including Sindh.

who on any public thoroughfare, without the permission of a Magistrate or Municipal Commission, constructs any booth, shed, stable or the like, or lays down any stones or building material; or

who within the limits or site of any town or village, without sufficient cause, wilfully allows to accumulate any offensive matter in cesspools, dung-heaps or the like, so as to cause annoyance to the neighbouring residents or to passengers; or

who, without sufficient cause, wilfully allows any offensive matter to issue on to any public thoroughfare from any house, factory, stable, privy or the like; or

who deposits the bodies of dead animals, or refuse or filth of any description either in channels which in the rainy season feed any tank or reservoir set apart for drinking, or in other places where to deposit such is offensive to the community; or

who, in disregard of established rules or the order of a Magistrate, stacks or stores grass or other inflammable material within fifty yards of a dwelling-house, out-house or other building; or fails to remove the same when so stacked or stored; or

who disobeys the order of a Magistrate given in respect to land in or near towns, villages or dwelling-places, or in or near public roads and thoroughfares, for the pruning of hedges, or for the pruning or removal of overgrown prickly-pear or other vegetation, the unchecked growth of which is likely to be injurious to health,

shall be punishable for every such offence, on conviction before a Magistrate, to the extent of fifty rupees fine, or, in default of payment, to imprisonment not exceeding eight days :

Provided that no person shall be required to prune a hedge below three feet in height and three feet in width.

Removal of prickly-pear or other nuisance from waste-land of town or village.

[1] 34. Whenever the removal of prickly-pear or other vegetation or of any nuisance, from the common or waste-land of any town or village shall, in the opinion of a [2][Magistrate of the first class], be necessary, it shall be lawful for the said Magistrate to order such removal by a general notice addressed to all persons having an interest in the said common land, and to the inhabitants of the town or village at large, which notice shall be affixed to the chaunri or other principal place of public resort : and if within a reasonable time, being not less than seven days, to be specified in the said notice,

[1] *See* second footnote on page 475, *supra*.

[2] These words were substituted for the words "Full-Power Magistrate" by the Bombay General Clauses Act, 1886 (Bom. Act 3 of 1886), Schedule B. This Schedule has been printed as an Appendix to the Bombay General Clauses Act, 1904 (Bom. Act 1 of 1904) Vol. IV of this Code.

the order be not carried out, the Magistrate may cause the vegetation or nuisance to be removed, and on the requisition of the said Magistrate the cost of the removal shall be assessed and levied from the inhabitants in the manner provided in sections 16 and 17. * * * [1] .

35 to 47—[*Rep. Bom. Act IV of 1890.*]

THE BOMBAY VILLAGE POLICE ACT, 1867.

CONTENTS.

PREAMBLE.

SECTIONS.

1. Interpretation-clause.
2. [*Repealed.*]
3. Administration, control and direction of village-police in whom vested.
4. Power to depute to District Superintendent authority over village-police-officer.
5. Village-police in villages under charge of Police-patel.
   Appointment of Police-patel.
   Police-patels may be appointed for different divisions of town or place.
6. Duties of Police-patel.
7. Authority over village-servants.
8. Precautions against robbery, etc.
9. Penalties for neglect of duty, etc.
9A. Liability to criminal prosecution not affected.
   Power to suspend during trial.
10. Information to officer in charge of District Police-station when criminal in village has escaped or is not known.
11. Inquest in cases of unnatural or sudden death, or corpse found within village.
   Punishment for refusing or neglecting to serve on inquest.
   Corpse when forwarded to nearest Civil Surgeon, etc., for examination.
   When burning to be delayed till officer in charge of Police-station assents.
12. Police-patel to apprehend person he believes has committed serious offence.
   Person apprehended to be forwarded to Police-station.
13. Power to call and examine witnesses, record evidence, and search for concealed articles.
   Power to enter limits of other villages.
14. Power to try and punish for petty assault or abuse.

[1] The words "of this Act" were repealed by the Bombay General Clauses Act, 1886 (Bom. Act 3 of 1886), Schedule B. This Schedule has been printed as an Appendix to the Bombay General Clauses Act, 1904 (Bom. Act 1 of 1904), Vol. IV of this Code.